

IV. REMARKS**Status of the Claims**

Claims 1-12, are amended. Claims 13 and 14 canceled and claim 15 is added. Claims 1-12 and 15 are presented for further consideration.

Summary of the Office Action

Claims 1-3,6-8,10 and 11 stand rejected under 35USC102(e) on the basis of the cited reference Suso et al, U.S. Patent No. 6,069,648. Claims 4 and 5 stand rejected under 35USC103(a) based on the reference Suso in view of the cited reference Atsuhiko, et al, Publication JP09-305259. Claim 9 stands rejected under 35USC103(a) based on the cited reference Suso in view of the reference Britz, U.S. Patent No. 5,414,444. Claims 1,3,4,6,7,9 and 12 stand rejected under 35USC112. The Examiner is respectfully requested to reconsider his rejection in view of the above amendments and the following remarks.

It is believed that the Examiner's rejection of the claims under 35USC112 are fully met by the amendments submitted above.

Discussion of the Cited Reference

The Examiner relies on the reference Suso to support the rejection based on anticipation and as primary support for the rejection based on obviousness.

Regarding the amended claim 1, Suso discloses a first housing part 1, a second housing part 2 and a third housing part 8, to which the first and the second housing parts 1, 2 are attached. Also, Suso discloses a hinge mechanism 6, 7 arranged to fold the first and second

housing parts 1, 2. However, Suso does not disclose that the first and second housing parts 1, 2 are arranged to move away from the third housing part 8 before opening. Instead, the distance between the third housing part and each of the other housing parts 1 or 2 remains unchanged.

In Suso, the first and second housing parts 1, 2 are arranged to rotate around the third housing part 8 without changing the distance between the third housing part 8 and each of the other housing parts 1 or 2. Furthermore, Suso does not disclose that the first and second housing parts 1, 2 are arranged, upon closing, to move in part back into the third housing part 8, away from which the housing parts 1, 2 were moved. The described motions of the present invention reduce the outer dimensions of the device when the device is not in use.

The Examiner has also introduced the Atsuhiko document (JP 9305259). Atsuhiko discloses first electronic display means 11, 12 for displaying information, arranged on the inner walls of the first and second housing parts. Atsuhiko does not disclose second electronic display means for displaying information, arranged in the third housing part 25. Furthermore, Atsuhiko does not disclose electronic keys arranged in the third housing part 25, which electronic keys are arranged to control the functions of the device and the information displayed on the first display means 11, 12 and on the second display means.

The Examiner indicates that it would be obvious to:

"Since the display screens are of a continuous nature, one skilled in the art would have find obvious that the thirds housing part comprises" display means."

There is no support for this statement in Atsuhiko. Display screens are shown to be hinged so that the joint between the displays 11 and 12 remains contiguous, thereby preventing any visual access to tilt stand 25. In addition, Examiner indicates that since electronic keys may be placed on panels 11 and 12, it would be obvious to put them on the tilt stand 25, if the user was to hold the device by the tilt stand. This is speculation on the part of the Examiner that has no support in the reference. The element 25 is described and shown as a tilt stand. The device is shown to be of a size that is not intended to be hand held during operation. In fact, in the device 25, holding the device by the tilt stand would defeat the advantage of propping the device on a table or desk on the tilt stand for hands free viewing.

The Issue of Anticipation

The Examiner is reminded that the anticipation analysis requires a positive answer to the question of whether the system of Suso et al would infringe the claims of this application, if it were later.

All of the claims of this application contain the following features:

"a third housing part, to which the first and the second housing parts are attached by means of said hinge mechanism in such a way that the first and the second housing parts are simultaneously folded in relation to the third housing part, when the device is opened in said second use position and closed in said first use position,

wherein the first and the second housing parts placed against each other are arranged, upon closing in said first use position, to partly move inside the third housing part to reduce the outer dimensions of the device, and

wherein the first and the second housing parts are arranged to move away from the third housing part before opening in opposite directions in said second use position."

Since the claimed features are not present in the system of the reference Suso, et al, there can be no infringement of the subject claims. Therefore the teaching of Suso, et al, does not support the rejection based on anticipation with respect to any of the claims.

These arguments apply equally to the rejected dependent claims.

The Issue of Obviousness

It is well settled that in order to establish a prima facie case for obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. As indicated above the disclosure of Suso is lacking in this respect. In addition, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, without reference to the disclosure of this application.

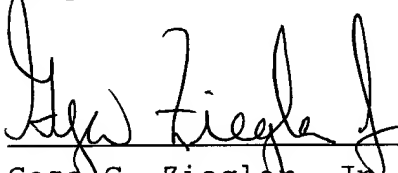
Applicant submits that the above described deficiencies of the primary reference Suso are not remedied by the proposed combination with the teaching of the reference Atsuhiko or Britz. The combined references do not therefore support a prima-facie case of obviousness as indicated by the Examiner with respect to claims 4 and 5. The modification of the teachings of Suso and Atsuhiko or Britz, in order to obtain the invention, as described in the claim 4 and 5, would not have been obvious to one skilled in the art.

The above arguments apply equally to the rejected dependent claim 9.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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11 April 2005
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